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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.         | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------------|------------------|
| 10/027,242  | 12/20/2001  | Ralph L. Anderson    | KCX-462 (15879)             | 9073             |
| 22827   | 7590        | 07/15/2004           | EXAMINER                    |                  |
| DORITY & MANNING, P.A.<br>POST OFFICE BOX 1449<br>GREENVILLE, SC 29602-1449 |             |                      | TORRES VELAZQUEZ, NORCA LIZ |                  |
|   |             |                      | ART UNIT                    | PAPER NUMBER     |
|   |             |                      | 1771                        |                  |

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |  |  |  |
|------------------------------|--|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/027,242         | <b>Applicant(s)</b><br>ANDERSON ET AL. |  |
|                              | <b>Examiner</b><br>Norca L. Torres-Velazquez | <b>Art Unit</b><br>1771                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 30 April 2004.

2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-29 and 31-38 is/are pending in the application.

4a) Of the above claim(s) 1-19 is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 20-29 and 31-38 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All    b) ☐ Some \*    c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 02/06 04/02 04/30.

4) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed April 30, 2004 have been fully considered but they are not persuasive.

a. Applicants argue that one of ordinary skill in the art would not have found it obvious to modify Holmes et al. as suggested by prior Office Action and substitute continuous splittable multicomponent fibers for the fibers of Holmes et al., regardless of the teachings of Groitzsch et al. Further, Applicants argue that the composite fabric of the present invention contains a fibrous material hydraulically entangled with a creped nonwoven web.

It is noted that that Holmes et al. discloses that the fabrics showing best recovery after elongation include nonapertured, hydroentangled poly(ethylene terephthalate) staple fiber fabrics. (Col. 3, lines 33-35) It is the Examiner's interpretation that Holmes et al. teachings are not limited to staple fibers. With regards to substituting continuous splittable multicomponent fibers for the fibers of Holmes et al., it is noted that Groitzsch teaches that a disadvantage of the nonwoven fabrics composed of short fibers is that when using a comparable amount of binder as in carded nonwoven fabrics, the strength obtained is clearly lower. [0005] Therefore, the rejection of claims 20-29 and 31-34 is maintained for the reasons stated in prior office action.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 20-29 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes et al. (US 6,375,889) in view of Groitzsch et al. (US 2002/0034907) as stated in previous office action.

4. Claims 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes et al. and Groitzsch et al. as applied to claims 1-29 and 31-34 above, and further in view of a YOSHIMURA et al. (US 6,080,466).

HOLMES et al. and GROITZSCH et al. fail to teach the fibrous material content claimed herein and are silent to bonding the nonwoven web prior to entanglement. YOSHIMURA et al. is directed to composite sheets for use as industrial wipes or cleaning cloths. (Col. 1, lines 6-7) In Example 1, the reference teaches using a paper sheet with a basis weight of 90 g/m<sup>2</sup> entangled to a long fiber nonwoven fabric of a basis weight of 15 g/m<sup>2</sup>. The reference also teaches that the long fiber nonwoven fabric consists of integrated polypropylene long fibers having many point-fused regions. The Examiner's interpretation is that the point-fused regions of the web of YOSHIMURA et al. equate to the bonding claimed in the present invention and based on the basis weights of the materials taught by the reference, the fabric sheet of YOSHIMURA et al. will have a 85% of fibrous material (pulp). It would have been obvious to one having ordinary skill in the art to have YOSHIMURA et al.'s fibrous content in the fabric, motivated by the desire of producing a composite sheet with excellent draping qualities, a nearly fabric-like touch and a good usability at low cost as disclosed by YOSHIMURA et al. (Column 2, lines 6-11)

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

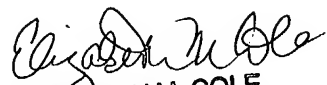
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norca L. Torres-Velazquez whose telephone number is 571-272-1484. The examiner can normally be reached on Monday-Thursday 8:00-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Norca L. Torres-Velazquez  
Examiner  
Art Unit 1771

July 12, 2004

  
ELIZABETH M. COLE  
PRIMARY EXAMINER